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**UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION**

IN RE LIDODERM ANTITRUST  
LITIGATION

No. C-14-md-02521-WHO

THIS DOCUMENT RELATES TO:  
ALL ACTIONS

**STIPULATION AND ORDER  
AMENDING SCHEDULE**

**(Civil Local Rule 6.2, 7.12)**

1        WHEREAS, the current case schedule calls for Defendants to file oppositions to  
2 motions for class certification and opposing class certification expert reports on August 19,  
3 2016; for Plaintiffs to file replies in support of class certification and rebuttal class certification  
4 reports, if any, on October 7, 2016; and for a hearing on the motions for class certification to  
5 occur on October 26, 2016.

6        WHEREAS, the schedule for class certification had been most recently amended on  
7 May 4, 2016 to afford Plaintiffs additional time after the close of fact discovery to file their  
8 motions (ECF No. 461), and previous amendments to case schedule occurred on December 9,  
9 2015 (ECF No. 356) and August 5, 2015 (ECF No. 245).

10       WHEREAS, as a consequence of the need to coordinate the work of multiple experts to  
11 file oppositions, as well as the new ownership of certain Actavis Defendant entities,  
12 Defendants seek, subject to approval of the Court, an additional two weeks for Defendants to  
13 finalize their oppositions to the motions for class certification and a corresponding alignment  
14 of the remaining class certification schedule, and Plaintiffs are not opposed.

15       IT IS HEREBY STIPULATED AND AGREED by and between the undersigned  
16 parties and/or their respective counsel, that the case schedule shall be amended as follows:

17       1. Defendants shall file oppositions to motions for class certification and opposing  
18 class certification expert reports on September 2, 2016.

19       2. Plaintiffs shall file reply briefs in support of class certification and rebuttal class  
20 certification expert reports on October 24, 2016.

21       3. Hearings on Plaintiffs' class certification motions shall take place on November  
22 9 or 16, 2016, or another date convenient to the Court's schedule.

23       4. Plaintiffs shall serve merits expert reports on December 15, 2016.

24       5. Although no other dates on the current case schedule (ECF Nos. 356, 461) are  
25 affected by the modifications, the parties agree that further adjustments to the pre-trial schedule  
26 may be necessary and that following Defendants' compliance with the Court's Order of August  
27 9, 2016 (ECF No. 536) the parties will meet and confer concerning those adjustments.

28

1 Dated: August 12, 2016

2 Respectfully submitted by:

3 **For Defendants:**

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## **For the CVS and Rite Aid Plaintiffs:**

## For the Walgreen Plaintiffs:

*/s/ Barry L. Refsin*

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## ATTESTATION STATEMENT

I, Sean M. Tepe, am the ECF User whose identification and password are being used to file this STIPULATION AND [PROPOSED] ORDER AMENDING SCHEDULE. Pursuant to Civil L.R. 5-1(i)(3), I attest under penalty of perjury that concurrence in this filing has been obtained from all counsel.

*/s/ Sean M. Tepe*

Sean M. Tepe

## ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED. The Class Certification hearing shall be set on November 16, 2016 at 2:00 p.m.

Dated: August 19, 2016

HON. WILLIAM H. ORRICK, U.S.D.J.